

REMARKS

Applicants acknowledge receipt of an Office Action dated October 26, 2009. In this response Applicants have amended claims 1, 4, 5 and 8. Claim 2 has been incorporated into claim 1 and canceled. Following entry of these amendments, claims 1, 3-9 and 11 are pending in the application.

Reconsideration of the present application is respectfully requested in view of the foregoing amendments and the remarks which follow.

Claim Objections

Claim 8 was objected to because “steal” should be spelled “steel.” Claim 8 has been amended to make this correction.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 4 and 5 were rejected as being indefinite. Claims 4 and 5 have been amended. The term “fuel reforming catalyst” has been replaced with “reforming catalyst material”; support for this amendment is found, for example, on page 9, line 24 to page 10, line 11 of the specification. The term “electrode-forming catalyst” has been replaced with “reforming catalyst material”; support for this amendment is found, for example, on page 9, line 24 to page 10, line 11 of the specification. Applicants respectfully submit that the terms an “air electrode layer,” a “fuel electrode layer,” and an “intermediate layer” are supported by page 9, line 24 to page 10, line 11 of the specification.

Rejections Under 35 U.S.C. § 103

In the Office Action, the USPTO has set forth the following rejections under 35 U.S.C. §103 which Applicants summarize below: (a) claims 1-7 as being unpatentable over U.S. 7,157,177 to Chan in view of U.S. 5,863,673 to Campbell; (b) claim 8 as being unpatentable over Chan in view of Campbell, in view of U.S. 7,226,675 to Ovshinsky; (c) claim 9 as being unpatentable over Chan in view of Campbell as applied to claim 1; and, (d) claim 11 as being unpatentable over Chan in view of Campbell as applied to claim 1, in view of U.S. 7,255,954 to Hampden-Smith.

Applicants submit that the current amendments to claim 1 overcome these rejections.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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